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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S): Tomoaki NAKASHIMA, et al.  
SERIAL NO: 10/809,511  
FILING DATE: March 26, 2004  
TITLE: FUEL CELL SYSTEM AND VEHICLE WITH FUEL CELL SYSTEM  
MOUNTED THEREON  
ART UNIT: 1746  
EXAMINER: Unassigned

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

SIR:

The Applicant respectfully submits this request for reconsideration in response to the Notice (form PTOL-456 or "45-day letter") from the Board of Licensing and Review mailed in the above-identified application on May 17, 2004.

The Applicant respectfully submits that the Applicant should not be required to make any statement pursuant to the Notice, because the subject matter of the above-identified application in no way relates to the production or utilization of special nuclear material or atomic energy. Instead, the invention relates to a fuel cell system for a vehicle. No part of the fuel cell system uses, produces, or facilitates the production of nuclear material, special or otherwise, or uses, produces, or facilitates the production of atomic energy. The only kind of energy generated by the fuel cell system is electric energy from electrochemical reactions.


Accordingly, the Applicant respectfully requests that the requirement for a statement as set forth in the Notice be withdrawn, and that no formal requirement follow

the Notice. If the Office maintains the requirement for a statement, the Office is requested to particularly point out that portion or portions of the application which are believed to relate to the production or utilization of special nuclear material or atomic energy, so that the Applicant can better explain how the requirement is in error.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: July 8, 2004

By:   
William E. Curry  
Reg. No. 43,572

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